

PATENT  
Customer No. 22,852  
Attorney Docket No. 3495.0111-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernard DUJON et al.

Application No.: 09/836,169

Filed: April 18, 2001

For: NUCLEOTIDE SEQUENCE ENCODING  
THE ENZYME I-SCEI AND THE USES THEREOF

Commissioner for Patents  
Washington, DC 20231

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)  
) Group Art Unit: 1652  
)  
) Examiner: PATTERSON, C  
)  
)

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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of U.S. Patent Nos. 6,395,959; 6,238,924; 5,962,327; and 5,474,896 are enclosed. Copies of the other listed documents were previously cited by the Examiner or submitted in prior parent application Serial Nos. 09/196,131, filed November 20, 1998 (now Patent No. 6,238,924); 08/417,226, filed April 5, 1995 (now Patent No. 5,962,327); and 07/971,160, filed November 5, 1992 (now Patent No. 5,474,896), upon which

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applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 4, 2002

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